Government of
Saskatchewan

2005-2006
Annual Report

Saskatchewan
Justice

Public Disclosure
Committee

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Letter of Transmittal

Her Honour the Honourable Dr. Lynda M. Haverstock
Lieutenant Governor of Saskatchewan

May it Please Your Honour:

The undersigned, pursuant to section 12 of *The Public Disclosure Act* is pleased to present the Public Disclosure Committee Annual Report for the period of April 1, 2005 to March 31, 2006 which was submitted to me by the Public Disclosure Committee.

Frank Quennell, Q.C.
Minister of Justice and Attorney General

Public Disclosure Committee – Staff

Richard J. Peach
Janis Bohlken

The Committee maintains an office at:
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Role of the Committee

The public has concerns about high-risk offenders who have been released into communities after serving some or all of their entire sentence. One response to these concerns is to raise public awareness about a particular individual by providing information about the offender to affected individuals or communities.

The Public Disclosure Act was developed to assist the police in dealing with this important issue. The legislation was proclaimed in force November 15, 1996 and created a committee to provide non-binding advice to the police about persons who may pose a danger to the community.

On November 15, 1996, a nine-member committee was appointed to serve pursuant to the Act. Committee members represent a broad spectrum of the community. They include members of the clergy, senior police officers, psychologists, members of the legal profession, people who work with victims of crime and those who work with traditional First Nations healing approaches. They are drawn from various communities around the province.

Police may bring applications with respect to persons who have been convicted of one of the offences prescribed in section 3 of the Regulations and who pose a risk of serious harm to persons in a community in Saskatchewan. The scheduled offences include sexual offences against children, sexual assaults, other sexual offences like bestiality and indecent acts, procuring children into prostitution; serious personal injury offences like robbery, aggravated assault, kidnapping and trafficking in controlled drugs and substances.

The Committee can only recommend disclosure when the individual poses a significant risk of serious harm to other persons, the disclosure will assist in avoiding the risk posed by the individual, and the public interest in the disclosure outweighs the privacy interests of the individual. If the release of information is recommended, the Committee will also recommend what information should be released, how it should be released, and to whom.

Decisions of the Committee are carefully considered and are based on review of information prescribed by the Act. This information includes such things as risk assessments, criminal records, likely destinations for the individual, descriptions of the offences the individual has committed in the past, and reasons the individual is believed to pose a significant risk of harm to others.

Persons who are the subject of an application to the Public Disclosure Committee are advised in advance that an application has been made, and are afforded the opportunity to make submissions to the Committee in writing or on audio or video tape.

The advice given by the Committee does not bind the police agency making the request. However, police acting in compliance with the advice are accorded immunity from suit for their good faith actions in so doing.

Committee Services

The services provided by the Committee within the scope of *The Public Disclosure Act* for the 12-month period ending March 31, 2006 are:

Applications Received	Disclosure Advised	Disclosure Not Advised
5	5	0

Activities of the Committee

Meetings and Training

Pursuant to section 5 of *The Public Disclosure Regulations,* the Committee is required to schedule a minimum of one date per month for the hearing of applications. Additional expedited meetings are held when applications are brought of an urgent nature that cannot be held in abeyance until the regularly scheduled meetings.

From April 1, 2005 to March 31, 2006, the Committee held five expedited meetings.

In December 1996, the Committee held its inaugural meeting in Moose Jaw. Periodically since that time, training for Committee members has been arranged to enhance the knowledge and skills each brings to the process of providing considered, well-grounded and appropriate advice to police agencies. Subject matters which have been included in training include orientation to the Act and the roles and responsibilities of the Committee, effective methods for media relations, and tools and techniques for the assessment of the risk an offender may pose to the public and their potential to re-offend. In December 2002, six Committee members attended a national conference in Winnipeg, Manitoba, on Community Notification and Managing High Risk Offenders. Through both plenary presentation and small group, interactive workshops, the conference attendees discussed best practices throughout Canada and the United States in regard to public disclosure.

On November 24, 2004, in Regina, the Committee received training on Risk Assessment. Then on March 22 and 23, 2005, in Saskatoon, seven members of the Committee attended a Fetal Alcohol Spectrum Disorder (FASD) workshop.

Security

Given that the Committee will be dealing with some of the potentially most dangerous persons in the province, certain precautions have been taken to protect Committee members from harm. These include, but are not limited to, a specific request made by the Minister of Justice on announcing the legislation that the press not publish the identities or identifying information about Committee members.

Providing Information to Police Services and the RCMP about the Committee

On November 15, 1996, the Committee provided a package of information to all police services in the province and the RCMP. In January 1997, Committee members and staff provided a half-day presentation to designated police representatives, held in Regina and Saskatoon. The presentation was designed to acquaint representatives with how to prepare and file applications with the Committee. Representatives from the RCMP and the municipal police services act as liaison between the Committee and their organizations, guaranteeing that these agencies are well aware of the application process.

Processing the Applications

Of the five applications received in 2005-2006, one was granted expedited consideration pursuant to subsection 15(1) of *The Public Disclosure Regulations*.

Offender Profiles:

- All the offenders that were the subject of applications were male.
- The age of the offenders at the time of the applications were: one between the ages of 25-35, one between the ages of 35-45 years, two between the ages of 45-55 and one between the ages of 55-65.
- The ethnic origins of the offenders at the time of the applications were: three were First Nations, one was Caucasian, and one was unknown.
- The number of previous convictions ranged from 15 to 98.
- The number of previous custodial sentences ranged from 13 to 95.
- The number of scheduled offences ranged from one to 10.
- The assessment level of risk ranged from moderate-high to high violence/sexually.
- The number of previous victims ranged from four to 10.
- The victims of four of the offenders were female.
- The victims of the other offender were both male and female.
- The victims of the other offender were early teenagers to early adulthood including emotionally challenged young adults.
- The victims of four of the offenders were between the ages of early teenagers to early adulthood.
- One offender was 13 when first convicted of a criminal offence.
- Three offenders were 16 when first convicted of a criminal offence.
- One offender was 17 when first convicted of a criminal offence.
- All of the offenders were held to warrant expiry by CSC officials.
- Three of the offenders were in the community at the time of the application.

Committee Budget

The expenses of the Committee were absorbed into the budget of the Saskatchewan Police Commission. These expenses totalled $4,776.40 and supported the costs of hearings for Committee members including the FASD conference. The Law Enforcement Services Branch of Saskatchewan Justice provided administrative support for the Committee.